THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 20659 of 2005

DATED:21-09-2005

Between:

Mohd.Moizulhaq, S/o.Mohd..Jairullah Khan,
R/o.Polong Street, Nizamabad.

..... PETITIONER

AND

1 The Commissioner of Transport Dept., Khairatabad, Hyderabad.
2 The Regional Transport Officer/ Deputy Commissioner, Adilabad, Adilabad District.
3 The Inspector of Police, Bhainsa, Adilabad District.

.....RESPONDENT(S)

THE HONOURABLE SRI JUSTICE C.V.RAMULU

W.P.NO. 20659 OF 2005

ORDER:

The vehicle of the petitioner was intercepted by the Circle Inspector of Police, Bhainsa, and found that the petitioner had committed certain offences under the provisions of The Motor Vehicles Act and the Vehicle No.A.P.25 D 6303 (Jeep) was seized and kept in the custody of P. S. Bhainsa town.

It is the case of the learned counsel for the petitioner that the vehicle was seized and kept in the custody of the Police may get damaged being exposed to rain and sun. Therefore, he made an application on 16-9-2005 to the Deputy Commissioner of Transport, Adilabad for releasing of the vehicle. However, the learned counsel for the respondents strenuously contended that the application is maintainable before the Deputy Commissioner-cum-Regional Transport Officer, Nizamabad and not before the Deputy Commissioner, Adilabad, since the vehicle was registered with the registering authority at Nizamabad.

Under the above circumstances, the writ petition is disposed of directing the

second respondent to release the vehicle bearing No. AP 25 D 6303 (jeep) in favour of the petitioner on condition of the petitioner depositing a sum of Rs.5,000/- (Rupees five thousand only) along with an undertaking that he shall not alienate or encumber the said vehicle and also produce the same in the same condition, if it is required for any enquiry. The petitioner is also directed to produce necessary documents to prove his ownership and on such production of the documents and depositing the above said amount, the second respondent is directed to release the vehicle in favour of the petitioner.

The writ petition is, accordingly, disposed of at the admission stage. No order as to costs.

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C.V.RAMULU,J

21-09-2005

Note:C.C.tomorrow

B/o.

Stp